

**CITY OF HORSESHOE BAY**

1 Community Drive
P.O. Box 7765
Horseshoe Bay, Tx 78657
830-598-9959

DEVELOPMENT SERVICES DEPARTMENT
DEVELOPMENT PROJECTS/BUILDING PERMITS
PLANNING & ZONING/BOARD OF ADJUSTMENT
PLATS/CODE ENFORCEMENT

Building Permit Application

Location Address: _____ **Application Date:** _____

Purpose of the Application: _____

Lot: _____ **Property ID:** _____ **Sq. Ft** _____

If Commercial - Current Use: _____

Proposed Use: _____

Property Owner's Name: _____ **Deposit Refundee?** Y or N

Mailing Address: _____

Ph: _____ **Email:** _____

Contractor's Name: _____ **Deposit Refundee?** Y or N

Mailing Address: _____

Ph: _____ **Email:** _____

Deposit Refundee's Name: _____

Mailing Address: _____

Ph: _____ **Email:** _____

SPECIAL NOTE: Any content contained in this application that is contrary to State HB2439 which is effective Sept. 1, 2019 will be removed in future versions of this document and should be disregarded at the time of application.

Signatures are required from both Property Owner and Contractor

Acknowledgements

CONSTRUCTION COMPLIANCE DEPOSIT: I have received and read Item B and all pages of the permit application, concerning the construction conduct, deposit, and other requirements associated with the issuance of a Building Permit by the City of Horseshoe Bay.

DRAINAGE NOTE: The undersigned [Owner, Contractor, Developer] acknowledges local Declarations, CC&Rs and state requirements prohibiting discharge or diversion of drainage onto adjacent property in volume or rate in excess of existing conditions and agrees to provide any necessary site drainage design and, if necessary, site detention to meet those requirements. I certify that I will be responsible for any drainage issues resulting from development of the new residence on the property in accordance with these plans.

NEW RESIDENTIAL CONSTRUCTION: If your project involves new residential construction you must check one. Being subject to the laws governing official documents, I affirm that I am building a ☐ Speculative Home to go on the market on behalf of myself or a financial partner or, ☐ a Custom Home for personal use of the listed owner, with the Certificate of Occupancy and utilities to be issued to the owner listed. No contractor or firm can have more than two active permits at one time for speculative homes.

The Fee Schedule and included Items that follow provide important information and responsibilities of holding a permit, inspection requirements, and City ordinances. Please review carefully.

Signature of Contractor **Printed Name** **Date**

Signature of Property Owner **Printed Name** **Date**

Fee Schedule – A Compliance Deposit in the Same Amount as the Permit Fee is Required

NEW CONSTRUCTION

- ☐ **Single Family, Duplex, Mobile Home** - \$100 Base Fee, plus \$0.35 per heated square foot
- ☐ **Multi-Family** - Base Fee of \$100 per unit up to 4 units, plus permit fees subject to review, minimum of \$1,000
- ☐ **Commercial** - Base Fee \$100, plus permit fees subject to review, minimum of \$1,000

REMODELS, ACCESSORY STRUCTURE, ADDITIONS, CASITAS

- ☐ **Single Family Residential & Duplex** - Base fee \$75, plus \$75 per required inspection
- ☐ **Multi-Family Residential** – Subject to Review, Minimum \$1,000
- ☐ **Commercial** – Subject to Review, Minimum \$1,000

DEMOLITION PERMIT

- ☐ Full Residential Demo - \$1,500 deposit ☐ Full Commercial Demo - \$1,500 deposit ☐ Commercial Remodel Demo - \$1,500 deposit

Other Permits:

- ☐ **Grade & Fill** - \$100 ☐ **Sign Permits** - \$100

ATTENTION: When applying for new construction permits, details of any accessory structures (fences, pools, retaining walls, boat docks, etc.) must be approved by the Architectural Control Committee and could be subject to additional permits.

Sec. 3.03.015 (c)(1) Period inspections. Inspection of construction progress shall occur periodically to insure construction on a project is consistent with any plans submitted in conjunction with an application and with the building codes. It is the responsibility of the permit holder to ensure that the project receive inspection at each required stage. The permit holder is responsible for following the city's inspection procedure, including calling for inspections before covering up work. Failure to follow any required procedure will subject the permit holder to a fine not to exceed \$500.00. Each and every day a violation occurs shall be deemed to constitute a separate offense. Inspections should be scheduled by the permit holder between the hours of 9 am and 4 pm. Any called for before the project is in a state of readiness will cost \$100.00, which amount shall be deducted from the deposit required pursuant to Section 3.03.014 of this article. (Code of Ordinances)

Item A

Subcontractor Information It is the responsibility of the Permit Holder or General Contractor to report any changes of subcontractor information to Development Services in writing. You may email those changes to Development Services.

PLUMBING CONTRACTOR _____

Mailing Address: _____ Ph# _____

License # _____ Email: _____

ELECTRIC CONTRACTOR _____

Mailing Address: _____ Ph# _____

License# _____ Email: _____

MECHANICAL / HVAC CONTRACTOR _____

Mailing Address: _____ Ph# _____

License# _____ Email: _____

Item B

Deposit & Contractor Conduct During Construction

Deposit Required:

In addition to the Building Permit fees and utility hook-up charges set out above, a deposit in the same amount as the permit fee shall be paid to the City. The deposit is refundable to the Applicant who made the deposit after a Certificate of Occupancy is issued and the Development Services Department has authorized the refund. The applicant shall be provided a copy of this section when the deposit is delivered, providing notice of the possibility that deductions will be made for certain acts as set out herein. Additionally, the Applicant hereby agrees, by signature on page 1, that deductions may be made from the deposit for any of the acts described below:

Possible Deposit Forfeiture & Deductions:

Forfeiture: On new construction Projects, if the structure is occupied before the City issues a temporary or permanent Certificate of Occupancy, the deposit is forfeited in its entirety. On remodeling projects or when a building or unit has been vacant with utilities turned off for more than 60 days, if the unit or structure is occupied before the City issues a Compliance Inspection, the deposit is forfeited in its entirety.

Deductions: A deduction from the refund, or civil or criminal penalty, will occur if any of the following situations arise:

- 1)** Absence of restroom facilities with approved enclosures for the construction workers at any time work on the Project is ongoing. Any violation of this provision shall result in a deduction from the deposit of \$15 each day there is a violation.
- 2)** The site and surrounding areas shall be kept free from construction debris and litter with no significant accumulation outside of a required trash enclosure for more than twenty-four (24) hours. The trash enclosure is to be located on the Site through completion of the construction period. If the permit holder does not provide an orderly Site and the accumulation of unconfined debris threatens the surrounding areas, the City will advise the permit holder of their concern and require an immediate clean up. If the debris is not removed and a clean site established within forty-eight (48) hours from the date of the initial notification, the City shall issue a "Stop Work Order" at the site and will not allow construction to proceed until the site is cleaned up. In addition, violations found by the City's Building Inspector or Code Enforcement Officer can result in a citation and fine to the contractor for up to \$500.00 per day that the debris is not cleaned up, and each day the debris is not cleaned up shall constitute a separate offense. The City's Building Inspector and Code Enforcement Officer are hereby given the authority to issue such citations.
- 3)** Organic material (tree limbs, brush, etc.), which is cut and not removed from the Site within fourteen (14) days of being cut shall also constitute a violation of this Ordinance, and if not removed within fourteen (14) days, as required, the City shall issue a "Stop Work Order" at the Site and will not allow construction to proceed until the material is removed. In addition, violations found by the City's Building Inspector or Code Enforcement Officer can result in a citation and fine to the contractor for up to \$500.00 per day that the material is not removed, and each day the material is not removed shall constitute a separate offense. The City's Building Inspector and Code Enforcement Officer are hereby given the authority to issue such citations.
- 4)** The permit holder shall preserve, and totally restore to generally equivalent condition if damaged, City or POA-owned property including roads, drainage ditches or signs. Any un-repaired damage shall be repaired by a contractor hired by the City or POA where the site is located, and the actual cost incurred by the City or POA for repair or restoration will be deducted from the deposit and, when applicable, paid to the Subdivision by the City for actual costs incurred by the POA.
- 5)** No construction material, debris, removed brush, or equipment may be located on properties adjacent to the Site without express written permission of its owner or agent. Unauthorized dumping on adjacent property, on roads or rights-of-way, or in violation of any City ordinance or regulation, including but not

limited to, an anti-dumping ordinance, will be removed by a contractor hired by the City and the actual cost incurred by the City for the removal will be deducted from the deposit.

6) Construction shall only occur during weekdays and Saturdays, and hours of work shall be no earlier than 7:00 a.m. and no later than 7:00 p.m., unless specifically approved by the city only for early foundation pours during the Summer months of May through September. To be able to start earlier for foundation pours only, the contractor must first notify all residents within a two hundred (200) foot radius of the property and provide such notification information to the development services department at least forty-eight (48) hours prior to the date such early work start time is proposed. The development services director shall determine that all residents within 200 feet were duly notified and approve such early work start time based on the evidence provided and shall notify the contractor and the police department of the decision. Approval of early foundation pours only allows the contractor to mobilize for the foundation pour no earlier than 5:00 AM and begin the foundation pour no earlier than 6:00 AM. Any violation of this provision shall result in a deduction from the deposit of \$500.00 each day there is a violation.

7) Permit holder must enforce compliance with the City's Parking Ordinance Sec. 12.03.004. (A copy of the ordinance is included on Item E or you can find all of the adopted ordinances on the City's website www.horseshoe-bay-tx.gov). Any violation observed and documented by the Code Enforcement Officer will result in a charge of \$100 each day the problem persists which will be deducted from the deposit. If a citation for the same problem is issued by the Police Department, it is the permit holder's responsibility to notify Development Services, so the charge will not be deducted from the deposit.

8) A copy of the building permit shall be posted at the site at all times during construction, at a location accessible and easily seen from the site's boundaries. Any violation of this provision shall result in a charge of \$15 for each day there is a violation which will be deducted from the deposit.

9) Inspections called for when the project is not complete and ready for inspection or is not accessible due to locked doors or gates will result in a deduction from the deposit of \$100 for a reinspection.

10) Any portable toilet or dumpster on a construction site that has a Stop Work Order or has an expired Building Permit must be removed within 48 hours. Any portable toilet or dumpster not removed within 48 hours will result in a deduction from the deposit of \$100 per day for every day left on the site. If the portable toilet or dumpster is not removed within 5 days, the City can have them removed and the cost deducted from the deposit and can require that the deposit be increased to cover the removal cost.

11) The permit holder is responsible for following the City's inspection procedure, including calling for inspections before covering up work. Failure to follow any required procedure will subject the permit holder to a fine not to exceed \$500. This fine may be deducted from the construction deposit.

12) Any non-conforming or unauthorized sign found on the site will be red-tagged by the Code Enforcement Officer or removed. You will be required to remove the sign or bring it into compliance within five (5) days of issuance of the red-tag. If the sign is not removed or brought into compliance within that time period, a fine of up to \$500 will be assessed to the permit holder. This fine can be deducted from the construction deposit.

13) Should the Building Permit deposit balance become negative, a new deposit of \$1,000 will be required. If this should occur, the Site will be Red Tagged, and all construction must stop until the additional deposit is submitted.

ACCESSORY STRUCTURES: You must schedule your final inspection within six (6) months of permit issuance. If a final inspection is not scheduled, the City will schedule the inspection no earlier than 30 days after permit expiration. Any reinspection deductions will apply. Accessory structures built in a Utility Easement are subject to removal without replacement when officials require access.

Item C

Items Required to Be Complied with As Part of Building Permit Approval *(cont'd to next page)*

1. Architectural Control Committee Approval Required First. Prior to issuing a Building Permit, you must submit one to three sets of plans that have been approved by the appropriate Subdivision Architectural Control Committee. These plans will be reviewed by the City of Horseshoe Bay's Development Services Department for conformity to zoning ordinances, service utilities, and building codes. Plans must include at a minimum a site plan, foundation plan, floor plan, electric plan, roof plan, wind brace design, framing, and all four exterior elevations showing type and color of roof, masonry, siding, trim, nature and extent of work proposed. Show in detail that all work will conform to the 2015 Edition International Residential Code or 2015 Edition International Building Code, 2015 Edition International Energy Conservation Code, 2015 Edition International Fire Code, and 2014 Edition National Electric Code.

2. On-Site Sewage Facility (OSSF) Permit Required When No Sanitary Sewer System is Available. A separate Septic System Permit issued by the County and a copy given to the City of Horseshoe Bay will be necessary if the site is not serviced by the city's utility sewer system.

3. Flood Plain Permit Required for Construction in the Flood Plain. A Development Permit from LCRA and permits from any other applicable agency governing building in the flood plain must be obtained prior to commencing construction. If the project is in the flood plain, two elevation certificates will be required. The first certificate is required after the foundation has been formed and prior to concrete pour. The second certificate is required prior to the final inspection and certificate of occupancy being issued.

4. Silt Fencing Required. Appropriate silt fencing must be in place immediately after the clearing of the construction site.

5. Property Line Setbacks Must be Met. It is the permit holder's responsibility to ascertain that construction conforms to property line setback restrictions. A copy of the form survey shall be given to the Development Services Department prior to the first scheduled inspection.

6. Time Limits for New Residential, Commercial, and Remodel Permits. Construction shall be completed within 12 months for 2000 sq. ft. or less, 18 months for 2001-5000 sq. ft., and 24 months for more than 5000 sq. ft., for both residential and commercial new construction. If construction is not commenced within (180) days of obtaining any permit, the permit becomes void and all applicable fees will be forfeited.

7. 9 Month Time Limit for Manufactured Home Permits. Manufactured homes shall be placed on site and be ready for occupancy within (9) nine months from the date of the building permit.

8. 6 Month Time Limit for Accessory Structures. Construction shall be completed within (6) six months from the date of the building permit for accessory structures, such as decks, swimming pools, fences and retaining walls. Exception – accessory structures included in a residential or commercial building permit can be completed within the above stated permit period.

9. Requests for Extensions of Time Limits. If the time required to complete the construction project will exceed the time allowed by the permit, a request for a re-permit may be granted by the City. Re-permits are granted for the first 60 days at a cost of \$1000. A second re-permit for another 60 days can be granted at a cost of \$2500. A third re-permit will only be granted by City Council approval at a cost of no less than \$5000.

10. Penalty For Starting Work Without a Permit. Initiating construction prior to the issuance of a Building Permit will result in the permit fee being doubled.

11. Any Work Stoppage for 180 Days Voids Permit. Any cessation of work by the contractor on a project for a period of 180 days will result in the permit being voided. A stop work order will be issued on the site. All permit and deposit fees will be forfeited. A new permit will need to be obtained to continue construction on the site.

12. Certificate of Occupancy Required Prior to Occupation of Structure. A Certificate of Occupancy is required prior to permanent utilities being turned on. A new residential or commercial structure shall not be occupied prior to a Certificate of Occupancy being issued by the Development Services Department of the City of Horseshoe Bay.

13. Subdivision POA Approved Street Light Required. It is the owner's responsibility to construct and install the appropriate subdivision street light. A certificate of occupancy will not be issued until the appropriate light is installed with the address numbers.

14. Driveways to be Tied into Street at Street Level. It is the owner's/developer's responsibility to tie driveways into the street at the level of the street; and any damage to the curb or ribbon curb and or street needs to be repaired by the owner/developer. The tie-in should be concrete, asphalt stone, or paver bricks. No loose aggregate is permitted. The tie-in must comply with the relevant POA's requirement. Culverts should be sized to carry the flow, not cause or divert storm water flows onto another property. The culverts must be ½ the depth of the culvert unless otherwise clearly shown on the plans as designed by a professional engineer in such detail that it can be inspected. The culvert is the owner's responsibility to keep serviceable. The care, maintenance and repair of any access across any easement are the responsibility of the driveway owner. Should the City do work in the easement causing damage to a driveway, access and/or culvert, the City may, on a case by case basis, contribute to the repair of any such damage. In no instance will the City repair a driveway, access or culvert damaged by the City to better than its existing condition at the time of the damage.

15. Construction Signs Must Follow Policy. Construction signs must adhere to the policies of the City's sign ordinance and ACC requirements. Only the general contractor may display a sign and must remove the sign on the 11th day after a final inspection. Sub-contractors may not display signs. See Ch. 3, Article 3.06, Sec 3.06.015 for the complete ordinance.

16. TDLR Approval Required for Construction Valued at More than \$50,000. For any new business/commercial construction or alterations over \$50,000, documentation must be shown that the plans have been submitted to the Texas Department of Licensing and Regulation for review and inspection regarding handicapped accessibility. Plans must conform to the Texas Accessibility Standards. For information contact: Texas Department of Licensing and Regulation, Code Review and Inspection Division, Architectural Barriers Section, P. O. Box 12157, Austin, Texas 78711, 800-803-9202/512-463-3211 FAX: 512-475-2886

17. LCRA Approval Required for Impervious Cover > 10,000 Sq. Ft. For any project containing 10,000 square feet or more of impervious cover, approval must be obtained from the Lower Colorado River Authority and documentation of that approval shall be submitted with the application. Erosion and sedimentation controls must be used for any soil disturbance activities. Obtain LCRA regulations by calling (512) 578-3303 or at www.lcra.org. Dredge and fill activities (including retaining walls) must comply with LCRA dredge and fill standards. Boat docks must comply with the LCRA Residential Dock standards and Marinas require an LCRA permit.

18. Inspections are Required. For a complete list of required inspections, refer to the Plan Review Report that is provided with your approved plans.

Item D

Required Documentation for New Construction

1. An approved copy of the building plans and building Permit shall be on the jobsite for use by the building inspector.
2. Form survey provided to Development Services prior to concrete placement.

3. Construction in the flood plain requires an elevation certificate with elevations taken from the slab level of the form boards prior to issuance of a Building Permit and concrete placement. A second elevation certificate with elevations taken from the lowest habitable floor is required prior to Occupancy.
4. All new residential dwellings, additions, and certain renovations require engineered foundation plans and wind brace design with an engineer's stamp and signature. Also, a copy of the engineer's report or a report by a 3rd party engineer with the engineer's stamp and signature stating the pre-pour inspection conformed to the approved engineered foundation plans must be provided to Development Services prior to the request for a framing inspection.
5. If the truss systems are inspected by the truss company or a qualified engineer, then a copy of their report shall be given to the building inspector prior to cover up.
6. Requirements for the energy-efficiency certificate. A permanent certificate shall be posted inside the electrical distribution panel. The certificate shall be completed by the builder or registered design professional.

Item E

Parking Ordinance

Sec. 12.03.004 Parking at Commercial or Residential Construction Sites

Any person who receives a building permit for a construction purpose for a structure, facility, or accessory structure in the city shall be furnished with a copy of this article at the time such permit is issued or within a reasonable time thereafter, and such person shall be responsible for the following:

(1) Commercial construction site.

- (A) All vehicles of any kind including vehicles required for construction and construction catering vehicles shall be parked off the street; either within the boundaries of a commercial construction site or at a location arranged for, either by lease, agreement, permission, or other lawful means.
- (B) Parking or standing of material delivery vehicles on the street is prohibited without a special use permit from the City.

(2) Residential construction site.

- (A) If a vehicle, equipment, or trailer used by someone at the site for construction purposes, including a vehicle required for construction and construction catering vehicles, is parked on the street, all vehicles shall be parked only within the direct frontage of the actual construction site if adjacent lot(s) are developed and occupied, on the same side of the street as the construction site, and in the direction of the flow of traffic. Construction trailers must be removed from the roadway during hours of darkness.
 - (B) Parking or standing for materials delivery vehicles on the street is limited to two (2) hours and is not allowed during hours of darkness.
 - (C) Catering and other vendor vehicles must comply with subsection (2)(A) above, and no catering or vendor vehicle may park on the street at the site for more than one (1) hour during any four-hour period during any twenty-four-hour day.
- (3) Informing all employees, contractors, subcontractors, consultants, inspectors, or other persons who work at or visit the commercial construction site where vehicles may be parked during construction.
 - (4) Arranging, when necessary, by lease, agreement, permission, or other lawful means, for off-street parking of vehicles of persons who work at or visit the commercial or residential construction site and, if necessary, the shuttling of such persons to and from the site.
 - (5) Identifying, by temporary sign or other reasonable means, where parking is and is not allowed.
 - (6) Ensuring that no vehicle or pedestrians of any kind or description blocks, impedes, or obstructs the normal flow of traffic at, near, and adjacent to the commercial or residential construction site.
 - (7) Payment to the city of any fines or penalties imposed for violation of this section of this article.
 - (8) Variances to these requirements may be requested in writing to the city at the time of application for a building permit.

Item F
Other City Ordinances for Construction Sites

Portable Toilet Enclosures Required

All portable toilets, when installed, must be concealed entirely on the three sides facing the street. The cover must be of either a chain link material in an earth tone color or can be made of the same materials for the walls and roof to match the home. However, the Architectural Control Committee (ACC) for the subdivision may still require more restrictive cover than stated above, in which case only the ACC approved cover will be allowed. Below are some examples of approved covers. The portable toilet may be located close to, but not adjacent to the street. Any violations of the Ordinance will result in a deduction from the deposit in the amount of \$15.00 per day of non-compliance. Please note there are more requirements in the Ordinance that can be found in full by referencing **Chapter 3 Building Regulations, Article 3.03 Building Permits, Section 3.03.014 Construction Conduct and Deposit, Subsection (b)(3)(I)(i)** in the Code of Ordinances found online at www.horseshoe-bay-tx.gov.



Tree Protection Required During Construction

All living trees with a caliper greater than 16" that will remain on site are required to be protected during construction activities. Below are visual examples of acceptable tree protection methods.

Protection measures that must be in place include:

- (1) Protective barricades shall be installed around all protected trees and grand trees before any construction activities commence on a site.
- (2) Barricades shall be installed at no less than ten (10') feet from a protected tree or at the designated protective root zone.
- (3) Protective barricades shall be comprised of wood, fencing, or other solid materials.
- (4) Protective barricades shall be a minimum of three (3') feet in height with horizontal and vertical structural members designed to prevent damage to existing landscaping.
- (5) The parking or storage of vehicles, equipment or other materials is prohibited within the protective root zone.
- (6) Barricades shall only be removed after construction activities have been completed and the site is ready for final landscape activities.



Item G
Checklist of Documents Required for Permit Approval
New Residential, Commercial, Additions, and some Remodels

Must contain all, but is not limited to, the following:

- _____ One (1) complete set of 24 x 36 plans stamped, signed, & approved by the Architectural Control Committee (ACC) of your subdivision that conforms to the City's currently accepted Building Codes. **Multi-family and commercial projects** require 3 sets of plans. Plans must include at a minimum a site plan, electric plan, roof plan, floor plan, and all 4 exterior elevations, and the following:
 - _____ Structural plans designed, stamped, and signed by a registered design engineer.
Includes wind brace, framing, trusses, and foundation.
 - _____ Energy Compliance Certificate showing compliance to the 2015 IECC, signed by preparer.
In our climate zone, it is recommended to use the IC3 – REM rate method of compliance
 - _____ Manual J/S/D
 - _____ Elevation Certificate if in a flood zone.
 - _____ Plans must show that conduit will be provided for internet fiber between the house & the street
- _____ Completed subcontractor information must be on Item A of the permit application with their name, phone numbers, mailing addresses, and license numbers
- _____ The General Contractor must be a Registered Building Contractor with the City of Horseshoe Bay
- _____ Acknowledge that Landscape Irrigation Systems require a separate permit
- _____ Acknowledgement that the architectural details of Accessory Structures require ACC approval and could be subject to additional permits.
- _____ Acknowledgement that accessory structures built in a Utility Easement are subject to removal without replacement when officials require access.
- _____ Acknowledgement that you will obtain a Plan Review Report with required inspections with your Permit
- _____ Acknowledgement you will receive a document named "Obtaining a Certificate of Occupancy" that is provided with your permit
- _____ Acknowledgement that all third-party inspection forms shall be turned in to the City prior to Certificate of Occupancy. Examples are structural, survey, and energy inspection reports.

Your plans must be designed to meet the following building codes:

2015 International Building Code, 2015 International Residence Code, 2015 International Mechanical Code, 2015 International Plumbing Code, 2014 National Electric Code, 2015 International Fire Code, 2015 International Energy Conservation Code, 2015 International Fuel Gas Code.

When all items are turned in, your plans are forwarded to ATS Engineers, the City's Plan Review and Inspections consulting firm, for review and approval. They are concurrently provided to Field Services Department for water/sewer tap, meter, and grinder assessment. Multi-family and Commercial plans are provided to the Fire Department for Fire Code review. Once these reviews are complete, we will notify you that the permit is ready to be paid for and issued. The total review process for single family residential plans can take 8-10 business days. Multi-family and Commercial reviews can take up to 15 business days.